

REMARKS

Remarks Regarding Claim Objections

Claims 4-7, 12-17, and 22-27 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. That is, the Office Action takes the position that the subject matter recited in claims 4-7, 12-17, and 22-27 is not disclosed, suggested, or made obvious by prior art. Applicants note with respect that claim 2 includes the same allowable subject matter as the allowable subject matter in claims 12 and 22. Applicants have accordingly amended independent claims 1, 11, and 21 to include the allowable subject matter of claims 2, 12, and 22, respectively. Claims 2, 12, and 22 are canceled in this amendment to remove the following claim language that now appears in independent claims 1, 11, and 21:

...wherein detecting changes, recording detected changes, comparing the control value and the acceptable control value range, and taking action are carried out through Java servlets in at least one OSGI-compliant service bundle installed and operating in an OSGI-compliant service gateway.

Each dependent claim includes all of the limitations of the independent claims from which it depends. Claims 3-10 depend from claim 1 and include all of the limitations of claim 1. Claims 13-20 depend from claim 11 and include all limitations of claim 11. Claims 23-30 depend from claim 21 and include all limitations of claim 21. Because each dependent claim includes all the limitations of the independent claim from which it depends, and independent claims 1, 11, and 21, as currently amended include allowable subject matter, dependent claims 3-10, 13-20, and 23-30 also include the same allowable subject matter. Applicants submit, therefore, that the amendments of claims 1, 11, and 21 place all claims of the present application in condition for allowance.

Claim Rejections – 35 U.S.C. § 102 Over Reber

Claims 11 and 18-20 stand rejected under 35 § U.S.C. § 102(e) as being anticipated by Reber. To anticipate claims 11 and 18-20, Reber must disclose each and every element and limitation recited in the claims of the present application. The Office Action states that Reber does not disclose the claim limitations recited in claims 2, 12 and 22. As explained above, independent claims 1, 11, and 21 have been amended to include the allowable subject matter of claims 2, 12, and 22, respectively. Reber does not disclose therefore each and every element and limitation recited in claim 11 and 18-20 and does not anticipate claims 11 and 18-20 of the present application. Claims 11 and 18-20 are therefore patentable and should be allowed.

Rejections Of Claims For Obviousness Under 35 U.S.C. § 103 As Unpatentable Over Reber In View Of Well Known Prior Art Are Improper

Claims 1-3, 8-11, 18-21, and 28-30 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Reber in view of prior art that “would have been obvious to a person having ordinary skill in the art at the time the invention was made....” Applicants respectfully traverse each rejection. To establish a prima facie case of obviousness under 35 U.S.C. § 103 the proposed combination of the references must teach or suggest all of Applicants’ claim limitations. *In re Royka*, 490 F.2d 981, 985, 180 USPQ 580, 583 (CCPA 1974). The Office Action takes the position that the combination of Reber and Well Kown Prior Art does not disclose or suggest the claim limitations recited in claims 2, 12, and 22 of the present application. As explained above, independent claims 1, 11, and 21 have been amended in this Response to include the allowable subject matter recited in claims 2, 12, and 22. The combination of Reber and Well Known Prior Art, therefore, does not disclose or suggest each and every element and limitation recited in the claims 1-3, 8-11, 18-21, and 28-30 of the present application. Claims 1-3, 8-11, 18-21, and 28-30 are therefore patentable and should be allowed.

Conclusion

Independent claims 1, 11, and 21 have been amended in this Response to include the allowable subject matter of claims 2, 12, and 22 of the present application. Claims 1, 11, and 21 are therefore patentable and should be allowed. Claims 3-10, 13-20, and 23-30 depend from claims 1, 11, and 21 and include all the limitations of claims 1, 11, and 21. Claims 3-10, 13-20, and 23-30, therefore, include the same allowable subject matter and should also be allowed. Applicants respectfully request reconsideration of claims 1, 3-11, 13-21, and 23-30.

Claims 11 and 18-20 stand rejected under 35 U.S.C. § 102 as being anticipated by Reber. Because claims 1, 11, and 21 have been amended in this Response to include allowable subject matter, Reber does not disclose each and every element of Applicants' claims. Claims 11 and 18-20 are therefore patentable and should be allowed. Applicants respectfully request reconsideration of claim 11 and 18-20.

Claims 1-3, 8-11, 18-21, and 28-30 stand rejected under 35 U.S.C. § 103 as obvious over Reber in view of Well Known Prior Art. Because claims 1, 11, and 21 have been amended in this Response to include allowable subject matter, the combination of Reber and Well Known Prior Art does not disclose or suggest each and every element of Applicants' claims. Claims 1-3, 8-11, 18-21, and 28-30 are therefore patentable and should be allowed. Applicants respectfully request reconsideration of claims 1-3, 8-11, 18-21, and 28-30.

The Commissioner is hereby authorized to charge or credit Deposit Account No. 09-0447 for any fees required or overpaid.

Respectfully submitted,

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